



EXTRACTIVES TRANSPARENCY WEEK 2021



Resiliency in Transparency

NOV 24 -26, 2021

Event Documentation

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Documentation of the 2021 PH-EITI Extractives Transparency Week

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Extractives Transparency Week 2021

Resiliency in Transparency

November 23-26, 2021

Overview

Since its creation in 2013 through Executive Order No. 147 (EO147), the **Philippine Extractive Industries Transparency Initiative** or **PH-EITI**¹ has organized dozens of stakeholder engagement activities pursuant to the third pillar¹ and Requirement 7.1² of the EITI, the global standard for the open, accountable, and good governance of oil, gas, and mineral resources.

PH-EITI outreach activities are divided into two levels – national and subnational. At the national level, the PH-EITI Multi-stakeholder Group or MSG³ presents the key findings of the latest country report⁴ to a multi-sectoral audience through the **National Conference**. At the subnational level, relevant data are communicated to local government units (LGU) and communities where extractive projects are located through a series of regional forums called the **LGU Roadshow**. These activities provide a safe space for constructive engagement and capacity-building among stakeholders and public debate on important extractives governance issues.

With the onset of the COVID-19 crisis and the consequent implementation of social distancing measures, both annual events have been migrated to online platforms. And with the limitations of virtual meetings, reduced time for conferencing resulted in the elimination of a slew of extractives-related topics that stakeholders could *and should* discuss or zero in on.

¹¹ The **EITI process** has three pillars: (i) the creation of a multi-stakeholder group; (ii) the publication of independently reconciled annual country report; (iii) and communication of report findings to inform public debate on extractive issues.

²² EITI **Requirement 7.1** on public debate requires implementing countries to ensure that outreach events are undertaken to spread awareness of and facilitate dialogue about governance of extractive resources, building on EITI disclosures across the country in a socially inclusive manner.

³The **MSG** is the multi-sectoral body that sets the terms and direction of EITI implementation in the Philippines. The MSG is chaired by the Department of Finance and is composed of members from the [government] Department of the Environment and Natural Resources, Department of Energy, Department of the Interior and Local Government, Union of Local Authorities of the Philippines, [industry] Chamber of Mines of the Philippines, Petroleum Association of the Philippines, and [civil society] Bantay Kita – Publish What You Pay Philippines.

⁴ The annual **country reports** are the flagship product of PH-EITI. The reports contain comprehensive information about the Philippine extractives sector for a given fiscal year as well as independently reconciled data on company payments to the government, and government revenues from the extraction of the country's natural resources

The **Extractives Transparency Week** or **ETW** addresses this gap in stakeholder engagement. ETW is a series of talks and learning sessions meant to communicate information and encourage discourse on revenue management and resource governance. Building on EITI disclosures and considering pressing concerns and latest policy developments, the ETW aims to empower stakeholders to form opinions and make better policy decisions based on verified data and diverse insights and perspectives. Ultimately, the ETW hopes to spur ideas for reforms to strengthen governance mechanisms that would help ensure resource extraction contributes sustainably to inclusive economic growth and national development.

Theme and schedule

On its first run in November 2020, the ETW borrowed from the 6th PH-EITI Report [FY 2018] and focused on specific themes, namely, *Synergy, Transparency, and Sustainability*, which, together, point to the confluence of multi-sectoral efforts to make the benefits of extractives data disclosures, and resource extraction per se, impactful and sustainable. The weeklong series comprised seven learning sessions with topics ranging from gender and ownership transparency to systematic disclosure and resource governance. ETW 2020, which had an estimated overall turnout of over 500, culminated in the National Conference 2020 that coincided with the seventh year since the issuance of EO147.

This year, fresh from the launching of the 7th PH-EITI Report and from the successful five-cluster virtual roadshows, the PH-EITI adopted for ETW 2021 the theme, ***Resiliency in Transparency***, to highlight how data transparency, accountability, and open governance contribute to resilient communities and economy, especially in the face of a global health emergency. As Finance Secretary Carlos Dominguez remarked during the National Conference 2021, *“Transparency allows the free flow of accurate information. This, in turn, enables better coordination, appropriate interventions, and greater agility in times of crises. It is an effective instrument that enables resilient economic growth and inclusive community development.”*

True to Secretary Dominguez’ words, ETW 2021 will offer learning sessions on government’s extractives data management tools for resiliency planning. The series will also delve on the recurring issue of LGU shares in national wealth, and the impending increase in the National Tax Allotment of LGUs. Likewise, ETW 2021 will look deeper into the results of the concluded mining reviews, and PH-EITI’s analyses of gender-disaggregated extractives employment data, and information on mandatory social development funds.

With three events in all, ETW 2021 will be held as a four-day series that will culminate in the **PH- EITI Awards 2021** and the celebration of EO147’s eighth anniversary on November 26th.

HIGHLIGHTS OF THE EVENTS

Day 1

23 November 2021 (Tuesday) | 09:00 AM - 10:00 AM

OPENING PROGRAM

Welcome Remarks

Atty. Bayani H. Agabin

Undersecretary for Legal Affairs

Chair and Focal Person, PH-EITI

Undersecretary Agabin, mentioned that the E-T-W is PH-EITI's creative way of bringing stakeholders together to tackle pressing extractive governance issues, and sustain public debate on resource extraction and revenue management, despite the pandemic.

He emphasized that beyond the mandate of EO 147, series of 2013, and observance of participatory governance principles, PH-EITI annually implements outreach activities to provide a platform for discussion and co-creation of measures for solving problems, help ensure that government actions and services are always targeted, relevant, and impactful.

He added that the sessions in the ETW are designed to further empower stakeholders to form opinions and make better policy decisions based on verified data and diverse insights and perspectives. The sessions likewise aim at generating ideas for reforms that would help ensure resource extraction contributes sustainably to inclusive economic growth and national development.

He encouraged participants to engage the resource persons, ask the hard questions, take plenty of notes, and contribute to the discussions.

Opening Remarks

Atty. Valery Joy Brion

Assistant Secretary, Domestic Finance

Alternate Chair and Focal Person, PH-EITI

Assistant Secretary Brion explained this year’s ETW theme, “Building Resiliency in Transparency”. She said that the increased transparency in a sensitive industry like mining allowed for a free flow of accurate information which encourages the culture of accountability, enables better coordination, and strengthens institutional readiness and agility to respond in times of crisis. She added that for the PH-EITI community, the effect of data transparency is for planning ahead and planning better.

Assistant Secretary Brion also presented snippets of the learning sessions in the ETW.

- Building resiliency in transparency
- Overview of the ETW schedule and agenda
- Promote ETW pavilion

INCLUSION AND RESILIENCY

23 November 2021 (Tuesday) | 10:00 to 11:30 a.m. | Zoom

Description

- A fireside chat on the relevance of stakeholder participation, gender and development initiatives in the extractives, Indigenous People’s inclusion in developing impactful social development programs and in building resilient communities.
 - Session also includes a sharing of the results of PH-EITI’s analyses of comprehensive gender disaggregated extractives employment data, available IP royalty data, and SDMP expenditures of mining companies.

Session Agenda

10:00 - 10:10 <i>Acknowledgment of participants and group photo</i>	
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<p>Mr. Eastword Manlises National Coordinator, PH-EITI</p>	
<p>10:10 – 10:40 <i>Conversations with Resource Persons on Extractives Issues</i> Mr. Eastword Manlises National Coordinator, PH-EITI</p>	<ul style="list-style-type: none"> ● Recap of the opening ceremony ● This is a relaxed session ● Backgrounder of the theme in relation with the pandemic and the unspent SDMP funds for 2019 to respond to CoVid-19 ● Opined that funds can be of good use in response to the pandemic ● Introduced panelists by opening their videos and microphones
<p><u>Short presentations</u> Mines and Geosciences Bureau Initiatives for COVID-19 Calvin Perez</p>	<ul style="list-style-type: none"> ● Explains SDMP as a tool, its purposes, credited activities such as human resource, infra, education, health and enterprise development, and cultural values ● 1.5% - 75% goes to the host area, 15% for the implementation of IEC, 10% for advance researches to improve mining ● In formulating SDMP is in consultation and partnership with communities, especially the disadvantaged groups. ● It is being monitored from planning to implementation. There is a monitoring and annual audit in place for SDMP ● MGB has created a guideline for monitoring the implementation of SDMP

	<ul style="list-style-type: none"> ● Stakeholders are also enjoined to do their monitoring and audit represented by company reps and community leaders <p style="text-align: center;">----</p> ● In the event of an unfulfilled SDMP project, there is a scorecard developed by MGB to measure the implementation of SDMP. Sanction is being mulled by MGB. ● SDMP can only be regulated but not audited by COA. Only private auditing firms <p style="text-align: center;">----</p> ● Companies are allowed to realign funds to be utilized to other expenses provided that the realignment is beneficial to host and neighboring communities and beyond
<p>Programs for Indigenous Peoples Communities</p> <p>Atty. Caesar Ortega, NCIP</p>	<ul style="list-style-type: none"> ● CRDP is prepared by NCIP while SDMP by govt ● There is a minimum amount of consultation happening between IPs and companies. NCIP would like to change or improve that <p style="text-align: center;">-----</p> ● IP is the most neglected and most disadvantaged sector compared to women, disabled ● ADSDPP and CRDP should be consulted by the companies for inclusivity . Companies should assess these and include in the SDMP

<p>Gender and Development Initiatives in the Extractives</p> <p>Prof. Ladylyn Mangada, PH-EITI TWG on Gender</p>	<ul style="list-style-type: none"> ● EITI include gender issues in the EITI Standard ● 1.4 dictates that there should be adequate representation ● 1.6 contribution in gainful employment ● 7.1 inclusion in public debates ● 7.4 outcomes and impacts ● Women are being employed in the extractive sector ● 20,863 men vs 2,423 women employed in metallic sector ● 1,455 men vs 176 women employed in the non-met ● 247 men vs 152 women employed in the oil and gas ● Women should involve themselves more <li style="text-align: center;">----- ● Women participation becomes relevant through consistent participation and consultation among women ● Participation activities creates a positive outlook and action among women that also translates to resiliency of the community as well
<p>Social Development and Management Program</p> <p>Prof. Sharon Macagba, PH-EITI Consultant</p>	<ul style="list-style-type: none"> ● Conducted the study of SDMP ● Made assessment on select SDMP metallic and non-metallic mining companies

	<ul style="list-style-type: none"> ● Look into the distribution and how these companies use their uspent SDMP funds to address the pandemic ● Look into the tangible and intangible impacts to the communities and how SDMP improved their lives. ● Conducted interviews with local officials, residents from host and neighboring communities ● How companies used or repackaged their SDMPs to address the pandemic <p style="text-align: center;">---</p> <ul style="list-style-type: none"> ● SDMP monitoring is implemented and monitored as per MGB but there are challenges and different opinion in the implementation ● For communities to be self-reliant and independent, they should be fully involved ● Communities also have caveat in their participation and companies should learn to manage these indifference to make the community more participative and inclusive ● There should be more participation of women and youth to be truly inclusive ● There is greater appreciation of SDMP if, for example, instead of installing street lights, it is more appealing for communities to make them feel safe instead of just the streetlight ● Inclusivity and increase the number of participants are still an issue
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	<ul style="list-style-type: none"> ● (Claver) companies should be able to identify the needs of their communities. Companies as implementers and influencer in a community ----- ● SDMP can be used for disaster reduction and risk management ● Strats on risk disaster management can be imbedded in the SDMP to ensure resiliency ● SDMP can further be utilized if it resiliency planning is involved and the risk of the community reduced
<p><u>Short Presentations</u> Social Development and Management Program of a Metallic Mining Company Republic Cement and Taganito Mining Corporation</p>	<ul style="list-style-type: none"> ● Video presentation from Taganito Mining and Republic Cement ● Taganito: There should be a sector representation that does beyond the host community or area ● All sectors are included ● Local leaders and brgy development council ● Role of the company is ensure the implementation and not the pallnine ● SDMP emergency funds are used during natural calamities ● Barangays also agreed to segregate funds for vaccines
<p>Social Development and Management Program of a Non-Metallic Mining Company Republic Cement Corporation</p>	<ul style="list-style-type: none"> ● Republic Cement: Proponents/companies are facilitators based from the social impact assessment

	<ul style="list-style-type: none"> ● RC involves women in the planning process. They have a cooperative whose trainings were funded by the company such as welding, dressmaking ● Focuses on competency developments and PPEs ● There is barangay emergency preparedness and response team ● There is a Republic Fund over and above the SDMP fund for emergency responses
<p><i>Gender-related initiatives in Mining Communities</i></p> <p>Ms. Len Layug, Vice-President DIWATA <i>Women in Development Resource</i></p>	<ul style="list-style-type: none"> ● Women are not given more roles and responsibilities compared to men. ● There is gender inequality in the sector ● Project Solar Lolos where Diwata are turning IP elder women are being trained to create solar lights ● Solar Lolos are trained to assemble, repair and maintain solar panels ● Solar Lolos are empowered because they are being looked upon by the other women and the youth ● Create other opportunities to earn in and outside the community ----- ● Solar Lolos find their roles critical in their communities and they are empowered. They feel that they can do more for their families and communities ● There is a positive effect and should be sustained

10:40 - 10:50 Health break	
10:50 - 11:20 Question and answer	
11:20 - 11:25 <i>Synthesis and Moving Forward</i> Ms. Mary Ann D. Rodolfo Deputy Coordinator, PH-EITI	ph/etw2021 to join the conversations.
11:25 - 11:30 <i>Overview of Extractives Data Blitz</i> Mr. Albert San Diego	

East Manlises, the National Coordinator of PH-EITI and head of the Secretariat, moderated the first session titled "Why Gender and IP Inclusion and Participatory SDMP Planning Matter in Building Resilient Mining Host Communities." He explained that the session was structured as a fireside chat or talk show-style program, emphasizing that slides or PowerPoint presentations were not required. However, he mentioned that if any visual aids were needed for the speakers' presentations, they could be sent via email for efficient screen sharing.

Manlises reminded participants to test their microphones in advance and requested them to keep their cameras on throughout the program. He noted that the discussion would be conducted in conversational Filipino and outlined the session's format, which would be divided into three segments.

For the first segment, he informed the speakers that each would have a maximum of five minutes to provide an overview of their initiatives or research work. Manlises also shared the order in which the interventions would occur and the specific questions he planned to ask to introduce each speaker's turn.

1. **Sir Calvin of MGB** - *Maari niyo po ba kaming bigyan ng refresher kung ano ang SDMP, ang layunin nito, at paano ito dapat ipinatutupad?*
2. **Prof. Xiaui, 7th Report consultant** - *Nagsagawa po kayo ng pag-aaral tungkol sa SDMP. Para saan po ito at anu-ano po ang mga naging elemento ng pag-aaral?*
3. **Sir Vincent of Taganito Mining** - *Isa po ang TMC sa mga kompanyang napasama sa SDMP study ng PH-EITI. Sa second segment ay pag-uusapan natin ang findings*

patungkol sa TMC. Sa ngayon, maaari niyo po bang ibahagi muna kung anu-ano ang mga pinakahuling proyekto ng TMC sa ilalim ng SDMP nito?

4. **Prof. Ladylyn, UPV-Tacloban / MSG member** - *Itinutulak po ng EITI ang mas malalim at mas malawak na pakikilahok ng kababaihan at iba pang subgroups sa usapin ng resource governance. Anu-ano pong requirements ng EITI ang dapat na maipatupad ng mga kasaping bansa gaya ng Pilipinas para matiyak ang pagkamit sa layuning ito? Anu-ano na pong mga hakbang ang naisagawa ng PH-EITI para maipatupad ang mga nasabing requirements?*
5. **Ms. Len Layug of Diwata** - *Isa po ang inyong NGO sa mga organisasyong nakatutok sa pagpapalakas sa kakayanan ng mga kababaihan. Paano po nagsimula ang inyong grupo at anu-ano po ang inyong mga layunin?*
6. **Dir. Ortega of NCIP** - *Ano po ang pinagkaiba ng CRDP sa SDMP at paano po nagiging kalahok ang indigenous peoples organizations sa pagbuo ng mga plano at programang ito?*

OTHER NOTES:

- Started the session defining the regulatory framework of implementing SDMP, primarily based on the Philippine Mining Act of 1995 and its Implementing Rules and Regulation, and the main requirements for SDMP
- Companies are required to have SDMP -- these projects may include human resource support, infrastructure support, educational program, health services, enterprise development, protection of the communities' socio-cultural values

For the second segment, the following set of questions aim to delve deeper into your initiatives and research work. You also have **5 mins each** in this segment to share your answers.

1. **Sir Calvin** - *Ano po ang itinatakda ng mga batas at regulasyon upang matiyak na ang komunidad, mga kababaihan, at mga katutubo ay nakalalahok sa pagpapalano ng mga proyekto sa ilalim ng SDMP? Paano po ito mino-monitor ng MGB?*
2. **Prof. Xiaui** - *Base po sa isinagawa nating pag-aaral, masasabi ba nating natutupad ang mga itinatakda ng batas pagdating sa pagpapatupad ng SDMP? Masasabi rin po ba nating nagiging makabuluhan ang mga ipinatutupad na SDMP projects? Anu-ano pa pong mga impormasyon ang inyong nakalap sa isinagawang pag-aaral?*

3. **Sir Vincent** - *Anu-ano po ang criteria na inyong isinasaalang-alang sa pagpapalano ng SDMP projects? Paano po ninyo natitiyak na inclusive at pangmatagalan ang benepisyong ng inyong mga proyekto?*
4. **Prof. Ladylyn** - *Base sa naging pag-aaral ng PH-EITI, at sa mga datos na nakalap mula sa mga kumpanya, ano po ang lumilitaw na magandang benepisyong nakukuha ng mga kababaihan mula sa industriya? Anu-ano naman po ang mga nakikita ninyong pagkukulang?*
5. **Ms. Len** - *Briefly, maaari niyo po bang ibahagi kung tungkol saan ang inyong Tanging Tanglaw project? Anu-ano po ang inyong naging batayan at konsiderasyon sa pagbuo ng proyektong ito? Paano niyo po pinili ang beneficiaries at anu-anong konsultasyon po ang isinagawa bago nabuo ang proyekto?*
6. **Dir. Ortega** - *Papaano pa po kaya higit na makalalahok at makikinabang ang IP communities sa SDMP at sa mga proyekto gaya nang ipinatutupad ng TMC at Diwata?*

OTHER NOTES:

- Earlier, we also talked about some of the key findings of our conducted study on SDMP led by Professor Xiaui Macagba, and what contributes to a successful SDMP.
- In the discussion we were joined by some company representatives sharing about their SDMP, such as Taganito Mining and Republic Cement.

For the last segment, resource persons will have **2 mins each** to answer the following questions:

1. For **Sir Calvin, Prof. Xiaui, and Sir Vincent** - *Paano po kaya maaaring ma-optimize ang SDMP para sa pagpapatatag ng mga komunidad laban sa mga kalamidad at emergencies gaya ng COVID-19 pandemic? Maaari po kaya itong gawin sa ilalim ng kasalukuyang mga panuntunan sa pagpapatupad ng SDMP, o nangangailangan ba ng panibagong batas o regulasyon para dito?*
2. For **Prof. Ladylyn and Ms. Len** - *Paano nakadaragdag sa katatagan ng isang komunidad ang pagkonsulta sa mga kababaihan at paglikha ng mga oportunidad at programa sa mga ito?*

3. For **Dir. Ortega** - *Paano nakadaragdag sa katatagan ng komunidad ang pagbibigay ng pagkakataon sa mga katutubo na makasama sa mga pagpapalano ng mga proyekto at programa?*

During the discussion, the topic of optimizing Social Development and Management Programs (SDMPs) to better respond to emergencies, such as the COVID-19 pandemic, was addressed. The importance of including women in community consultations for the development of SDMP projects was also emphasized, highlighting the necessity of inclusivity. This approach aims to create opportunities under the SDMP for the betterment of the community, ensuring that both genders have a voice in these critical decisions.

Professor Ladylynn Mangada underscored the significance of making SDMP data and information, particularly its impact, accessible, understandable, and easy to obtain. She shared several recommendations for the improvement and strengthening of SDMPs, based on a study commissioned by PH-EITI. These suggestions included the need for a review and revision of laws and policies to integrate gender dimensions in all extractive industry regulations. Additional research is crucial to identify and address the environmental impact of mining on women, and there is a call for companies to ensure equal employment opportunities and working conditions for women.

Furthermore, the conversation touched upon the importance of including indigenous groups, especially those affected by mining operations, in the planning and designing of SDMP projects and programs. This inclusivity framework is vital for ensuring that these communities have a say in the initiatives that directly impact their lives and environments.

In conclusion, the discussion highlighted that SDMPs should be designed in consultation with the communities affected by extractive operations. The aim of these projects should be to contribute to the resilience and development of the community, fostering self-reliance that extends beyond the lifespan of extractive operations in their areas.

Day 2

EXTRACTIVES DATA BLITZ: CIVIL SOCIETY INITIATIVES IN PROMOTING INCLUSIVE DEVELOPMENT AND COMMUNITY RESILIENCY

24 November 2021 (Tuesday) | 10:00 to 11:30 a.m. | Zoom

Session Description

- Lightning talks featuring civil society initiatives to promote extractives transparency, inclusive development, and community resiliency;
- Showcase the best practices in each region in the following aspects of extractives transparency, inclusive development, and community resiliency;
 - a. Responsible Mining
 - b. Royalty Management of IP community
 - c. Livelihood
 - d. Gender
 - e. Environmental Preservation
 - f. Local legislation or LGU support to natural resource governance
 - g. Coal Industry: A Study
- The participants will have an opportunity to inquire further about the initiative and programs of the CSO in the virtual exhibit room.

Highlights

Ms. Roselyn Salagan, Partners Development Specialist of PH-EITI briefly shared the key messages of the round table discussion on the first day of the ETW, entitled Inclusion and Resiliency. Stakeholders, with resource persons from the national government agencies like the National Commission on Indigenous Peoples (NCIP), civil society organizations and extractives companies that showed good practices of their Social Development and Management Program (SDMP) in host and neighboring extractive communities, as well as trends in ensuring that natural resources are managed well, like involving women's voice.

Ms. Andrea Dennise Samson, Oil, Gas and BARMM Engagement Specialist of PH-EITI acknowledged the participants joining in all platforms.

The first presenter was Pilipina Inc. -Baguio Benguet Chapter, a civil society organization, pursuing the equal voices of Cordillera women. One of their officers, Ms. Jeanira Okubo shared

the programs of Pilipina among indigenous women affected by extractive activities. She explained the context of gender in the extractives, and how they historically have been part of the activities, particularly in the quarry areas. She pointed out that there are still biases ascribed to women in the context of extractives, there are policies and rules that could address these concerns, like the Magna Carta for Women which mandates, even at the barangay level the mainstreaming of gender principles, and ensures that a budget is allotted for gender related programs and activities.

The second presenter was Dr. Nelson Cuaresma, Director for Research of the Concerned Advocates Saving Terrestrial and Marine Ecosystem (COASTLINE), and a member of the PH-EITI Multistakeholder Group (MSG)⁵. Dr. Cuaresma gave a historical account of the forest degradation in the Philippines from the Spanish colonial times to today, and how this adversely affected the natural ecosystem of the country. He also accounted the calamities and damages that this have brought to the country, even its effect on the quality of water and air, zeroing in on Ozamis in Misamis Occidental. He emphasized that the impact of this forest degradation apart from forest lost is destruction of the water ecosystem, negative effect to biodiversity, flora and fauna, damage to agriculture, properties and loss of lives. In response to the effect of degradation to the ecosystem, COASTLINE conducts research, and presents the result to the public for evidence-based actions. It also conducts trainings and capacity building to empower community members, particularly to the IP tribe of Subanen. They also provide data to the local government to be able to develop policies and take actions on environmental degradation, in particular the watershed in the City of Ozamis. COASTLINE does its share of environmental protection by monitoring the birds, flora and fauna, including small scale mining activities, and other natural resources in the mountain range of Zamboanga Peninsula. Dr. Cuaresma concluded his presentation saying that “there are plenty of corporate opportunities in environmental protection and waste management from decentralized to centralized system, from investment to corporate social responsibility, from empathy to engagement”, for this to prosper, he added that “working alongside communities, local bodies and achieving compliance is the best road forward for a better life”.

The third presenter was Dr. Buenaventura Maata, Jr, Executive Director of Philippine Grassroots Engagement in Rural Development Foundation, Inc. (PhilGrassroots- ERDF) who talked about natural resource governance under the Project DATA (Deepening Access, Transparency, and Accountability) framework. The project is supported by the USAID and Bantay-Kita whose main goal is to improve natural resource governance, particularly at the local level, by enhancing

⁵ The MSG is the body that governs the implementation of EITI in the Philippines. It is chaired by the Department of Finance and is composed of representatives from the Department of Environment and Natural Resources, Department of Energy, Department of the Interior and Local Government, Union of Local Authorities of the Philippines, Chamber of Mines of the Philippines, Petroleum Association of the Philippines, and Bantay Kita – Publish What You Pay Philippines.

policies, strengthening institutions, and empowering communities. Dr. Maata, Jr. emphasized that the project intends to develop the capacity of groups at the local level to come up with policies in order to sustain local governance of natural resources. He also noted the importance of allowing participation of the local people, the formation of an MSG is deemed as an important strategy in order to sustain the discussion and address local issues as regards natural resource governance.

Under the project, PhilGrassroots has been building the capacity of the local communities in various municipalities in Dinagat Island, prior to doing so, a Training Needs Assessment was initially conducted. One of the identified activities is the Coastal Resource Assessment and Siltation Bin Installation, which include thorough planning and preparation. They also conduct Mangrove Assessment and documentation of species of fish in the coasts of Dinagat Islands. He also shared the critical steps to complete the project:

- Complete the siltation bin installation of the next 3 communities (Tubajon, Loreto Proper and Hibusong)
- Conduct training on the Basic requirements of Natural Resource Governance
- Conduct the MSG Dialogue/Forum in 5 municipalities
- Conduct the Provincial MSG Forum
- Review and analyze the collected data on the coastal resource utilization and status of coastal resource assessment.

The fourth presentation was a study on the coal sector entitled “Inequitable Share: A 2021 Update on the Philippine Coal Industry Situation”, ensuing same study conducted in 2016, presented by Mr. Vince Lazatin, National Coordinator of Bantay-Kita.

Coal Potential and Policy (latest coal resource potential and regulatory framework)

Coal can be found in many locations around the country, however Semirara, an island in Antique holds 47% of the reserve of coal, and by far the single largest minable reserve in country. Despite many attempts to reform the law, the coal mining operates under PD 972 which allows for a 90% recoverable cost, and special allowance, leaving the government with 3% share from the coal revenue, 1.8% goes to the national

government and 1.2% to the LGU, under the 40-60% rule of sharing. The TRAIN Law of 2017 retained the exemption for coal.

Coal Market Trends (Updates and recent trends in coal supply and consumption)

Over several years, there has been an upward trend in supply and demand. The production was at 7.3M metric tons in 2010 to 15.3 M metric tons in 2019, although two thirds of the produce or 10.2M metric tons went to the export market. On the other hand, local demand for coal is at 32.9M metric tons, 85% of which is imported, and the power industry represents 87% of total domestic demand. The paradox is that the Philippines has been export-oriented while relying much on imports for its own consumption, for energy generation purpose, rising from 34.4% in 2010 to 54.6% in 2019.

Impact to Society (New highlights on coal impact to the environment and the rest of society)

According to Mr. Lazatin, “coal, whether the mining or use of it, has been considered as one of the most detrimental to the environment and society”. He enumerated the adverse impacts of coal mining, particularly Semirara, to the communities, such as 1. Residents recognize adverse effects of mining in their community, 2. Displacement concerns by Semirara community members, 3. Respiratory and health concerns due to exposure to dust and ash by locals, and 4. Displacement of the local seaweed industry.

In the Philippines, coal is the predominant source of greenhouse gas (GHG) emission. With the country’s increase dependence on coal as a source of power, the contribution of coal to GHG emission also rose from 37% in 2010 to over 50% in 2019, it is deemed that the coal will continue to be the major contributor to GHG in the next two decades.

Coal Moratorium (Recent development in coal power and its impact to the industry and society)

In October 2019, the Philippine government declared a moratorium in new coal-fired power plants. This has been viewed positively as the country will shy away from dependence on coal from 43% in 2019 to around 16% by 2030, which is equivalent to a 47% drop in the power capacity before the moratorium, and thus reducing the GHG emission effect to around 32%. In November (two weeks before the activity), the DOE[2] announced that the moratorium does not cover coal power plants that have been approved, thus, the estimated figure “may be thrown under the rug”. The effect of

the re-announcement on GHG and the dependence of coal has not been estimated, but deemed to be certainly worse than the estimates before the moratorium.

Zeroing in on Semirara (Performance of Semirara Mining and Power Corporation in the last decade)

SMPC (Semirara Mining and Power Corporation) is a predominant coal producer, responsible for more than 99% of domestic production. Its royalty payment increased from 3% in 2009 to 18.3% of sales in 2017. From 2011-2019 SMPC has paid the Philippine government a total of P22.5B of royalty payment, which gives an average of about 15.4% of sales over this period. This uptake in royalty payment happened two years after SMPC became a publicly listed company which introduce public shareholders into the company's ownership structure, and in 2010 it offered the additional shares to the public. The increase in royalty payment then seems to be less of SMPC recognition of its obligation to the Philippine government than its obligation to the shareholders. The increase royalty payment could be a mere byproduct of a handsome dividends to new shareholders. Despite profitability and paying huge dividends to shareholders, SMPC still enjoys income tax holidays, and it is estimated that from 2011-2019, the Philippine government has foregone around P20B income taxes revenue from SMPC. Another problem is the intersegment sales between mining company and the power company which is could be another source of abuse in the absence of ring-fencing and other regulatory mechanisms to prevent profit shifting and other tax avoidance practices.

Policy Recommendations

In order to address the inequitable share scheme in coal mining, Mr. Lazatin, enumerated some policy recommendations:

- Increase the mandatory minimum government share
- Repeal the fiscal incentives granted to the industry
- Enhance the social and environmental governance mechanisms
- Adopt ring-fencing policy to close potential lapse
- Mandate the sector's participation in the Extractive Industries Transparency Initiative

Mr, Lazatin ended the presentation saying that "coal needs to come clean".

The fifth and last presentation was on the study on responsible mining in Region 8 spearheaded by the Visayas State University, and lead by Professor Maria Aurora "Tess" Tabada, who is studying the impact of sand and gravel quarrying on climate risks and gender and livelihoods.

Prof. Tabada particularly shared the result of the round table discussion/forum on the effect of sand and gravel mining to the climate risks in Eastern Visayas along the context of the government's "build, build, build program". The forum conducted in 2017 was sponsored by Bantay-Kita, the Mines and Geosciences Bureau, the Chamber of Mines of the Philippines, and the PH-EITI, and was aimed at harnessing perspectives from the stakeholders on what constitute responsible sand and gravel mining operations. There were 30 participants from national government agencies, local government units, civil society organizations, industry, and academe. Each sector made a presentation focusing in the areas of laws and policies in sand and gravel operations, the provincial extractive industry economic situationer of Leyte, industries economic and other contributions, and spaces for participation of the civil society in the governance of sand and gravel operations, particularly of the irrigators associations.

The common themes were gathered from the workshop on "what constitute responsible mining to each sector"?

1. Compliance with requirements such as permits, and environmental compliance certificates
2. Social acceptability and corporate social responsibility
3. Financial capabilities of the permittees particularly the allocation for rehabilitation fund
4. Socio-economic value added through the proper payment and utilization of taxes
5. Inductive, consultative and informed decision-making
6. Multi-lateral/cross sectoral oversight which included consideration of the safety transfer of sand and gravel, empowering barangay officials to monitor sand and gravel operations, involvement of the academe in technical assistance
7. Transparent data disclosure involving operations documents and related information such as the volume of extracted material
8. Social and environmental accountability including monitoring of impacts on agriculture and food security and rehabilitation programs of industries

Prof. Tabada also shared the result of the second workshop on what constitute the process of monitoring the commitments to responsible mining.

1. Harmonization of existing policies and policy reforms because provinces, cities and municipalities have different policies,
2. Transparent disclosure of payments and receipts,
3. Standardize permitting and monitoring,
4. Incentivize, recognize best practices of industry, civil society, communities
5. Twinning and linking learning programs, benchmarking of similar successful oversight
6. For Civil society organizations - focus on active monitoring and capacity development of CSO members in a multi-partite monitoring and data validation.
7. For Industry – timely and transparent reporting, self- governance, maximum compliance, continuous knowledge building on monitoring and technologies, and consistent socio-environmental payments
8. For national government agencies – participation and support, guidance, linking and learning, networking and coordination
9. For the local government unit – take on a leadership role particularly in ensuring accountability, revenue management, data sharing and transparent disclosures.

Prof. Tabada pointed out that mining operations of all forms involve the governance of natural resources and requires the nurturing of relationships among all stakeholders to ensure that each sector perform its roles and functions in accordance with the provisions of the law. The goal is the sustainable development of mining affected communities, better quality of life of each resident since they are the ones who internalize the costs of mining. She added that there will always be differences in perspectives and goals of all the stakeholders, thus, regular discussion and dialogues are important. They consider the RTD as a beginning of the discussion and ensure that the commitments made for a responsible mining become a reality in Eastern Visayas.

Dr. Glenn Pajares, Chairperson of the Sectoral Transparency Alliance on Natural resource governance in Cebu (STANCe) and a member of the Multi-Stakeholder Group (MSG), concluded the session with a comprehensive synthesis.

Dr. Pajares thanked the presenters for their informative contributions, highlighting the various programs and initiatives undertaken by civil society organizations to promote inclusivity and resilience in extractive communities, aligning with the EITI's Requirement 1.3 on Civil Society Engagement.

The session provided insights into the role of women in extractive communities, with Pilipina Inc. discussing gender roles and stereotypes from a personal perspective. Ms. Okubo's presentation underlined how societal "traits" assigned to genders are subject to change, reflecting the evolving nature of gender roles.

COASTLINE emphasized environmental preservation by presenting the historical context of forest cover degradation and its current impact. They shared their approach of disseminating research data in an understandable format to empower communities in Zamboanga to manage the adverse effects of environmental degradation.

PhilGrassroots illustrated their efforts in facilitating local stakeholder participation in natural resource governance through Project DATA. This initiative focuses on improving governance at the local level by enhancing policies, strengthening institutions, and empowering communities through capacity building and data-driven interventions.

Bantay-Kita presented their study titled "Inequitable Share" on coal revenue sharing and its socio-economic impacts. Vince Lazatin from Bantay-Kita discussed the mismatch between coal production and reliance on imports for power supply, highlighting the potential shifts due to export demands.

Professor Tess Tabada shared insights from a forum on Responsible Mining in Eastern Visayas, focusing on the effects of gravel and sand operations. The forum gathered concerns and recommendations that encompassed legal requirements, socio-economic value, financial transaction disclosures, and the need for multi-sectoral community involvement.

Dr. Pajares summarized the common strategies employed by civil society organizations in their initiatives, which include:

- Conducting community needs assessments and capacity mapping through consultations.
- Utilizing data and information in designing community programs.
- Applying easily understood methodologies for capacity and capability building.

In concluding, Dr. Pajares expressed appreciation for the efforts of civil society groups in enhancing transparency and accountability within the extractive industries and wished everyone a good day.

EXTRACTIVES DATA BLITZ: COMMUNITY INITIATIVES OF EXTRACTIVE INDUSTRIES

01:30 PM - 03:30 PM

Session Description

- A venue for extractive industries to share initiatives under the Social Development Management Program (SDMP) or Corporate Social Responsibility (CSR) implemented in the host and neighboring communities.
- The companies will be engaged in a lightning talk featuring their exemplary SDMP/CSR projects in aspects like livelihood, mining technology and geosciences training/education, gender, environmental protection, disaster risk management and support to IP communities.
- The participants will have an opportunity to inquire further about the initiative and programs of the company in the virtual exhibit room.

Highlights

1. Livelihood Initiatives by Oceana Gold Philippines Inc.

Mr. Patricio Cabauatan, Communications Specialist at Oceana Gold Philippines, Inc. (OGPI), highlighted their community empowerment through livelihood and business enterprise development programs. OGPI's commitment lies in enhancing the socio-economic wellbeing of communities around the Didipio mines, located in Nueva Vizcaya and Quirino, impacting around 17,000 residents across 11 communities.

Their approach involves collaborations with government bodies and civil society organizations, focusing on areas like agriculture development, infrastructure, capacity building, and training. The social investment and SDMP framework of OGPI comprises six pillars:

- **Business Development and Livelihood:** Establishment of DiCorp, a community-owned enterprise, benefiting the Didipio community and neighboring areas with 298 shareholders and 178 employees as of October 2021.
- **Sustainable Agriculture-based Livelihood:** Technical and financial support to 13 agricultural cooperatives with over 3,400 members, facilitating market linkages and partnerships for capacity building in organic farming and business management.
- **Infrastructure Development:** Construction of farm-to-market roads enhancing accessibility for farmers.

- Educational Empowerment: Offering skills training and best practices in farming and environmental management.
- Health Initiatives
- Employment and Training Opportunities

OGPI's commitment extends beyond the mine's lifespan, aiming to leave a lasting, positive impact on the community's social, economic, and institutional development.

2. Carmen Copper Corporation's Education Program

Mr. Kevin Kim G. Gutigulao, Superintendent for the Community Relations Department at Carmen Copper Corporation (CCC), shared insights into their educational initiatives under the Social Development and Management Program. Emphasizing Nelson Mandela's quote, "Education is the most powerful tool to change the world," CCC's program is designed to bridge educational gaps and foster responsible, self-reliant, and sustainable communities.

As of November 2021, CCC supports 307 scholars across various universities in Cebu, with a diverse range of courses offered. The program aligns with CCC's core values of cooperation, commitment, and competence and incorporates a holistic approach to nurturing the scholars' potential and leadership skills.

The impact of CCC's educational initiatives is evident in their alignment with Sustainable Development Goals, demonstrated by:

- Quality and Inclusive Education: Supporting a total of 1,580 scholars, with 1,221 graduates, and refurbishing 26 schools with 78 classrooms.
- Quality Health Care Services: Building and rehabilitating 6 health centers, donating 21 ambulances, and serving over 22,000 patients.
- Skills and Enterprise Development: Engaging over 3,500 farmers in cooperative and associations.
- Public Infrastructure Development: Benefiting 14 barangays with 122 kilometers of constructed and repaired roads.
- Disaster Response Initiatives: Including fire trucks and emergency responses.

These initiatives underscore CCC's dedication to educational empowerment and community development, contributing to sustainable growth and resilience in their host and neighboring areas.

3. Disaster Risk Management at Taganito Mining Corporation

Ms. Nissi Aline S. Alvarez, the Information, Education and Communications (IEC) Officer at Taganito Mining Corporation (TMC), presented their integration of a Disaster Risk Management Program into their Social Development and Management Plan (SDMP). She highlighted the Philippines' high ranking in the 2018 World Risk Index and the strategic location of Claver in the CARAGA region, making disaster preparedness a priority for TMC.

TMC's Disaster Risk Reduction Management (DRRM) Projects under SDMP include first aid and life support training, infrastructure projects to mitigate flooding, and informational campaigns. Their corporate social responsibility initiatives extend to community assistance during emergencies, including relief operations for calamities and a significant investment in COVID-19 response efforts.

Recognitions like the regional Gawad Kalasag in 2019 and acknowledgments from the Mines and Geosciences Bureau (MGB) and local government units underscore the effectiveness of TMC's initiatives.

4. Eagle Cement Corporation's COVID-19 Response

Ms. Monica L. Ang-Mercado, CFO and AVP for Business Support Group, outlined Eagle Cement Corporation's COVID-19 response initiatives in Bulacan. She detailed their social investment theme, FLIGHT, which encompasses family and community, livelihood and employment, infrastructure support, growth and development, health and emergency response, and technology and education.

Key activities included distributing food packs, conducting RT-PCR testing, providing COVID-19 awareness programs, and supporting health services. Eagle Cement's initiatives also involved launching feeding programs to combat child malnutrition and providing livelihood training in response to pandemic challenges. Their efforts demonstrate a commitment to shared success and sustainable community development amidst the pandemic's challenges.

5. Philex Mining Corporation's Support for Indigenous Communities

Ms. Aurora Dolipas, Community Relations Manager at Philex Mining Corporation, discussed their commitment to the indigenous peoples in the municipalities of Tuba and Itogon, Benguet. Operating within two ancestral domains, Philex has initiated various development projects, amounting to over P869M from 2003-2020, for the betterment of host and neighboring communities. These projects, under the Social Development and Management Program

(SDMP), emphasize active community participation, partnership development, capacity building, and resource linkages.

Philex has formed Technical Working Groups (TWG) in each barangay, comprising not only elected officials but also community elders and leaders. This inclusive approach ensures that the community drives its own development, with projects ranging from livelihood assistance and scholarships to infrastructure development and cultural preservation.

6. Apex Mining Corporation's Community Development Program

Ms. Maria Fe B. Palconit, Community Relations Manager of Apex Mining Company, Inc., presented their "Big Brother, Small Brother Program," which focuses on developing host and neighboring barangays in Maco and Mabini, Davao de Oro Province. The program was initiated following a comprehensive community profiling, revealing that mining is the primary source of income for most families in the area.

Apex's initiatives under the SDMP include educational support, health and medical assistance, livelihood programs, public infrastructure development, and socio-cultural support. They also offer alternative livelihood options such as direct employment, employment through manpower agencies, small infrastructure contracting, and training in agriculture and food processing.

The open forum that followed the presentations addressed challenges in implementing SDMP, strategies to overcome them, and lessons learned to improve future implementation. Ms. Nericel Langres from OGPI highlighted the complexities of working with communities and addressing their diverse aspirations.

Day 3

EXTRACTIVES DATA BLITZ

Data Management Tools

25 November 2021 (Thursday) | 10:00 to 11:30 a.m. | Zoom

Session Description

Lightning talks featuring demonstrations of extractives data management tools.

The session commenced with an opening at 10:00 AM, followed by Ms. Dennise Domingo's acknowledgment of the participants and a group photo at 10:05 AM. Ms. Domingo, a Social, Environment, and Economic Specialist, led this segment.

From 10:10 AM to 10:50 AM, Mr. Albert San Diego, Communications Specialist, moderated a series of conversations with various resource persons. These included discussions on the Mines and Geosciences Bureau Database Portal by Mr. Jun Crisostomo, the Contracts Portal by Ms. Anna Leigh Anillo, the Extractives Data Generator by Ms. Zoe Jimenez, the Extractives Beneficial Ownership Registry by Ms. Eah Antonio, and the National Wealth Shares Portal by Mr. Rainier Diaz.

Ms. Mary Ann D. Rodolfo, Deputy Coordinator of PH-EITI, provided a synthesis of the morning's discussions at 10:50 AM. She emphasized the importance of data in the extractives industry and the need for effective data management, which involves organizing, protecting, verifying, and processing crucial information. She highlighted how transparency in natural resource governance is increasingly being achieved through systematic online disclosures, making vital information accessible to stakeholders.

Ms. Rodolfo detailed the various data management tools presented during the session:

- **MGB Database:** A comprehensive source of information about mining projects in the Philippines, including mining tenements, cases, safety, health and environmental data, and more.
- **Contracts Portal:** An online repository detailing mining contracts in the Philippines.
- **Extractives Data Generator (EDGE):** A tool for extracting specific data about the extractives industry.
- **Beneficial Ownership Registry:** Lists real owners of extractive companies, currently featuring companies that have consented to publish their beneficial ownership information.

- **National Wealth Shares Portal:** Publicly accessible information on financial support given by the National Government to LGUs, enhancing transparency in local government finance.

She concluded by noting the potential benefits for companies in disclosing data at source, such as enhancing their social license to operate and supporting fair business practices. Ms. Rodolfo wrapped up her synthesis with a quote underscoring the present and future importance of data analytics in shaping policy and business decisions.

Following Ms. Rodolfo's synthesis, the agenda included reminders for the virtual exhibit at 10:55 AM and a virtual demonstration of the portals from 11:00 AM to 11:30 AM. Mr. Albert San Diego was slated to provide an overview of the next session.

EXTRACTIVES DATA BLITZ

Data Management Tools

25 November 2021 (Thursday) | 10:00 to 11:30 a.m. | Zoom

I. SESSION DESCRIPTION

- Lightning talks featuring demonstrations of Extractive Data Management Tools.
- Demonstration of the tools.

During the Extractives Transparency Week, the Philippine EITI organized a focused session to help participants understand the various online Extractive Data Management tools. This session included presentations and discussions on five key tools:

- **Mines and Geosciences Bureau Central Database Portal:** Ms. Liz Cherry D. Solijon, OIC-Chief of the Mineral Economics, Information, and Publication Division, led the presentation. She covered the portal's legal basis, objectives, content, features, and future enhancement plans. She emphasized MGB's commitment to providing stakeholders with timely, organized, relevant, and updated information.
- **Contracts Portal:** Ms. Anna Leigh Anillo, Technical Specialist for Systematic Disclosure at PH-EITI, presented the Contracts Portal. She explained its inception, benefits of contract transparency, and conducted a demonstration on how to use the portal. She encouraged the participants to explore the portal to understand its relevance.
- **Revenue Data Extractives Data Generator (EDGE):** Ms. Zoe Jimenez, Revenue Data Specialist at PH-EITI, provided insights into the background and usage of the EDGE tool.

She demonstrated how this online application developed by PH-EITI could be utilized effectively.

- **Extractives Beneficial Ownership Registry:** Ms. Eah Antonio, Policy and Compliance Specialist at PH-EITI, discussed the essence of Beneficial Ownership Transparency and the registry's function. She provided a demonstration of the tool and discussed its benefits for various stakeholders.
- **National Wealth Shares Portal:** Mr. Rainier Diaz, Chief and Budget Specialist at the Department of Budget and Management, presented this portal. He discussed the shares of Local Government Units in National Wealth and demonstrated how to use the online portal.

The session then moved to a Question and Answer segment, moderated by Mr. Albert San Diego, PH-EITI Communication Specialist. Participants had the opportunity to raise questions and seek clarifications on the presentations. The presenters, including Ms. Solijon (represented by Mr. Jun Crisostomo during the Q&A), Ms. Anillo, Ms. Jimenez, Ms. Antonio, and Mr. Diaz, addressed various queries and concerns raised by the audience.

This interactive session was pivotal in enhancing the understanding of the participants about the available data management tools, highlighting the Philippine EITI's efforts in promoting transparency and accessibility in the extractive sector.

III. QUESTION AND ANSWER SESSION

This part of the program allows the participants to raise questions, comments, and clarifications, if any, from the presentations that were shared.

These are the presenters who answered the questions/concerns raised:

- 1. Ms. Liz Cherry D. Solijon (Mr. Jun Crisostomo for Q & A Session)**
OIC-Chief, Mineral Economics, Information, and Publication Division
Mines and Geosciences Bureau Central Database Portal
- 2. Ms. Anna Leigh Anillo**
PH-EITI Technical Specialist for the Systematic Disclosure
Contracts Portal
- 3. Ms. Zoe Jimenez**
PH-EITI Revenue Data Specialist

Revenue Data Extractives Data Generator

4. Ms. Eah Antonio

PH-EITI Policy and Compliance Specialist
Extractives Beneficial Ownership Registry

5. Mr. Rainier Diaz

Chief and Budget Specialist of the Department of Budget and Management
National Wealth Shares Portal

Moderator:

1. Mr. Albert San Diego

PH-EITI Communication Specialist

Questions/ Concerns	Answers
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Question # 1: Wala po ba tayong nalalabag na data privacy concerns sa pagpu-published po ng mga data na ito online?

(Mr. Albert San Diego)

Ms. Anna Leigh Anillo: Very important question on open data privacy concerns. To answer the question, we hope wala po tayong nilalabag and nabanggit ko nga kanina na ang disclosure ay with consent ng mga companies. They agreed to disclose their contracts and also sa 1987 constitution natin ay mayroong article which states that kailangan mag-implement ng policy on full public disclosure of public documents. So, I guess for the Contracts Portal wala po tayong problem with regards to privacy concerns.

Ms. Eah Antonio: It may be really a concern, especially when it comes to publishing Beneficial Ownership Information. So, we in the PH-EITI has also conducted several meetings and consultations with the National Privacy Commission. What we make sure with this BO public registry is to get the consent directly from the companies and the beneficial owners themselves and through their board also have given their consent to publish their information, which is why for the BO public registry, we only included those who have expressed their consent in writing that they are willing to have this information published. However, the ultimate goal is to have all companies disclosing and publishing their beneficial ownership information, and we hope to see that in the coming years. And also, we will be launching tomorrow a 5-year program that will hopefully see a wider or greater transparency on extractives without the data privacy concerns.

Question # 2: How do we ensure accuracy and comprehensiveness of the information in the portal?

How does PH-EITI call the attention of the companies to ensure that all information that has been feed up in the portal are really accurate and credible?

(Mr. Chito Trillanes)

Ms. Zoe Jimenez: Assuring the accuracy and comprehensiveness of the data that we disclosed to the annual report, as well as the data management tools of the PH-EITI, we make sure all data disclosed are comprehensive by requiring the companies (Chief Finance Officer) to verify or validate all the data that they submit to the ORE tool or even to manual submission. So, we make sure that all the data that the companies submit to us, as well as the government agencies are accurate such that we expect or require their CFO/ President /Authorized representative to validate the data that they submit.

Ms. Anna Leigh Anillo: For the contract's portal, honestly, one of the challenges po ay ang ensuring accuracy, completeness, and verification all contracts and uploaded/published documents. So, the PH-EITI is in the process of improving the coordination with concerned agencies resources (MGB, DOE) in providing the copies of the contacts. Right now, process is being improve, kasi right now we are actually getting the copy of the contracts manually thru emails and cloud sharing, so that can be improve in the future. We understand and we are planning/trying to addressed it.

Ms. Eah Antonio: For the data verification, or at least the accuracy of data for the BO registry, the current BO registry is constricted do the information disclosed by the companies through their submissions to the SEC so whatever they submitted to the SEC, is what is reflected on the BO registry. However, the SEC has also programs on data verification and also with the open extractives program that the PH-EITI and the SEC is joining with the planning sessions and the launching happening, we hope to see greater capability for the Philippines on having a rigid or rigorous process on verifying and making sure that the beneficial ownership information is accurate. But so far, we can only rely on the routine checks and balances, and any reports or concerns raised if the public or anyone would see any discrepancies on the information on beneficial owners as what they see on the publications, thank you.

Mr. Rainier Diaz: For the accuracy po, we ensure naman po na ito po ay based on the submission from the collecting agencies listing natin on LGUs and the amounts po together with other data like kung sino po ang nagbabayad po o yung payee po natin na company. Dino-double check po naming ang mga informations before i-upload to our website.

Mr. Romualdo Aguilos: This data are coming either direct from the mining companies because mayroon tayong directive or under the law 7942 section 27- reportorial requirements para sa mga mining companies, so lahat ng pina-published namin na data are under oath, vina-validate din naming to. So ang accuracy niya, how we believed it that we are very confident that ang pinapalabas naming data ay okay. And yung iba ay galling din sa mga regional offices going to our office. Ayon ang nakalagay sa aming database portal.

Concern # 1: If we really want to have transparency on Extractive Industry, I think we need to present an honest data not only on taxes and royalties from mining but also all the destruction and risk resulting from all its operation.

(Ms. Elizabeth Ibañez)

Ms. Anna Leigh Anillo: Sa contracts portal po, we are also publishing po one of the associated documents ay yung environmental impacts study, by companies po ito, but not all companies ay meron na ito. Some of the contracts in the portal already have a copy of the environmental impacts survey. So, nilalaman po nito ang iyong critical environmental conditions ng mining, may summary matrix din po on environmental performance and meron din pong risk assessment on the environment. So, I think that is your concern, pwede po siyang maaddressed doon sa publication ng Environmental Impacts Study (EIS) ng Contracts Portal.

Question # 3: Any thoughts from the speakers re how these tools can be used for resiliency planning or revenue forecasting?

(Mr. Eastword Manlises)

Ms. Anna Leigh Anillo: When contracts are displayed and accessible sa lahat ng stakeholders even sa mga government planners, pwede silang ma-compare, makikita sa comparison kung ano yung most beneficial doon sa terms and kung ano yung medyo hindi okay, so we can adjust the plans. These contracts may serve as a reference for our government planners when planning about resiliency and revenue forecasting. It is a useful kasi naka-less na doon ang contracts, nandoon lahat ng detalye. Contracts themselves are very comprehensive and ipinakita rin kanina na it easier na ang contracts portal dahil may functions na pwede ng i-filter or nagdi-display na siya ng pertinent information doon sa summary, so hindi mahirap sa ating planners to refer to it.

Mr. Rainier Diaz: For that, ang usually ina-aasure ng DBM ay once the collecting agencies together with yung sa mga BTR certifications are submitted and tama yung mga numbers na nilalagay nila doon pagka-validate namin sa excel file, we will definitely release it. Based sa batas natin dapat kung ano ang nakolekta sa previous year ay mai-release na sana agad. Unfortunately, the reality is medyo mayroong bagal ng konti sa pagtanggap namin mismo sa collection ng agencies and the BTR. The LGUs can use the data from the collecting agencies, however, it must be used sparingly, kasi nga may tendency na ma-delay somewhere along the line. But rest assured, as we mentioned earlier na once we received yung complete documentation and correct dapat yung documentation nila, we process it right away po. So usually, sa citizens charter naman ng DBM, we process it between 15 to 20 calendar days, dapat ma-release na namin yung fund release request, if it is complete and correct. The LGU's can connect with the connecting agencies on how much they collected from the registered payees sa area nila.

Ms. Zoe Jimenez: Sub-national/ National payments data of the extractive companies available in edge tool, as well as in the annual country reports are particularly useful for having a

baseline for protecting trends and forecasting economic outlook, including economic contribution data, it is also helpful for the LGUs as well to have a comparison of all their revenues for different fiscal years from the extractive industry.

Ms. Anna Leigh Anillo: Regarding the contracts' portal, like what I've discussed earlier, the project coordinates of all contracts are displayed in the summary data that we presented a while ago, it can be accessed through the contracts' registry. Information on projects coordinates and we also have associated documents related to environment concerns. So, these are useful references on matters regarding environmental risks. May mga project coordinates and other associated documents that the planners can referred to.

Question # 4: Tungkol naman po sa DBM.

Mayroon tayong mga instances na nagkakaroon ng boundary conflicts that would impact some other rights to national wealth. How do you process this? Paano natin masisiguro na that we will be giving the rightful share of the rightful municipality claimant. Paano ito pina-process ng DBM ng hindi nade-delay?

(Mr. Chito Trillanes)

Mr. Rainier Diaz: Again, DBM is just a releasing agency. However, as to the correctness of the computation, we deemed it the responsibility na po ng ating collecting agencies. Basta po guided po sila ng ating RA 7160 on how to compute it as mentioned earlier, mapakita natin dapat ng breakdown per lgu. On the boundary disputes po, again, we are not claiming on that, ythat would be more of other agencies po ang dapat mag-ensure na tapos na ang boundary disputes and they have to communicate with the collecting agencies para po ma-determined talaga yung proper share po nila. As presented kanina kung paano ico-compute, ang percentage po ay based on population ang land area. Tama po kayo, mayroon pong effect ang mga boundary disputes. Nonetheless, that will be the responsibility of the collecting agency- the determination of the correct amount po per LGU.

Question # 4: For the speakers, has there been an assessment done on the impacts of the tools presented here? If yes, what have been the impacts and response from the CSOs representatives present.

(Ms. Aurora Tabada)

Ms. Anna Leigh Anillo: Honestly, wala pa pong assessment na ginagawa for PH-EITI, but we are welcoming feedback from our users, sa EDGE and Beneficial ownership registry. We have po a function in the website for users to leave feedback, so this can help us din po to assess the performance of the tools but regarding the more technical assessment, its in pipeline pa po.

Mr. Rainier Diaz: For now, the portal was launched in 2021, so hindi pa po tayo nagkakaroon ng assessment on this, if this is useful po talaga sa ating stakeholders. Nonetheless, sa DBM po kasi kasama rin po yan sa nakita namin para hindi rin po naba-bogged down yung mismong LGRCB sa DBM when processing the request for information dito s ana-process na fund releases po natin. We hope na yung mga stakeholders natin kamukha ng uma-attend dito sa PH-EITI and other fora ay makita yung usefulness and they can visit again the link the ibinigay naming kanina.

<p>Question # 5: We have this Republic Act. No. 10173, otherwise known as the data privacy act - is a law that seeks to protect all forms of information be it private, personal or sensitive but why is it that the files be in public more of like a showroom for the people. But what you said it is already a mandatory and how can we protect people with this?</p> <p>Meron po kasing nangyari way back 2019, na this company na kilala ko ay hindi nila alam na mayroong pitong katao na hindi related sa company pero ginagamit sa pang scam ng ibang tao yung contract nila at ginagamit for peddling ng mga scammers tapos the law itself recognizes invasion of privacy as a criminal offense.</p> <p>(Mr. Kevin Ogario)</p>	<p>Ms. Eah Antonio: The data privacy act protects our information, especially sensitive information or personal information; however, this also has to be balanced with national interest and there's also a provision in that law that allows us to publish and for us to use information, especially when it is for national interest and in this case, we are talking about the national resources of our country. For example, on Beneficial ownership, we made sure that we only published non-sensitive information, like we did not include the TIN of a person or the specific address, even though it is also recommended to publish that information. So, we are very mindful of these laws and we are still pushing for greater transparency for the interest of people. We also have other laws and provisions that allows us to access this information. For example, anyone can request information through the freedom of information on the policy that we already have in our country and also these companies, especially mining companies are mandated by law through the DENR department administrative order to comply with the Philippine EITI processes which includes disclosure of the contracts and the licenses because it is part of the EITI process that the country the Philippine Government has entered into. So, I hope that answers the question that the contracts and licenses disclosures are part of the EITI process and there are also laws governing our participation and companies' participation in submitting and disclosing this information.</p>
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IV. Highlights and Synthesis of the Presentations

To wrap up, the Deputy Coordinator of PH-EITI Ms. Mary Ann Rodolfo synthesized the presentations of the whole session. This includes the use and importance of information that are accessible through portals. These portals also aimed for transparency and accountability in the extractive industry for the welfare of all sectors.

EXTRACTIVES DATA BLITZ

25 November 2021 (Thursday) | 1:30 to 3:00 p.m. | Zoom

Session Description

1. Lightning talks featuring presentations on the Mandanas ruling and the results of the Mining Industry Coordinating Council (MICC) mining review.

The afternoon session of the Extractives Transparency Week began with an opening and a brief recap of the morning's discussions, setting the stage for the afternoon's agenda.

Ms. Rhoda Aranco, Production and Export Data Specialist at PH-EITI, acknowledged the participants and coordinated a group photo session, capturing a moment of the event's collaborative spirit.

The session continued with conversations led by Mr. Eastword Manlises, National Coordinator of PH-EITI. The discussions focused on several pivotal topics in the extractive industry:

- **Results of the Mining Industry Coordinating Council Mining Audit:** Director Nieva Natural from NEDA's Agriculture, Natural Resources and Environment Staff, presented the outcomes of the mining audit, providing insights into the current state and challenges of the mining industry.
- **Mandanas Ruling - Department of Finance:** Director Rowena Sta. Clara from the Fiscal Policy and Planning Office at the Department of Finance discussed the impact of the Mandanas ruling, explaining its significance and implications for fiscal policy and local governance.
- **Impact of Mandanas Ruling on LGUs Hosting Extractives:** Director Anna Bonagua from the Bureau of Local Development Government at DILG delved into how the Mandanas ruling affects Local Government Units that host extractive operations. She also highlighted DILG's efforts in capacity-building for these LGUs, a critical aspect in the wake of the ruling's implementation.

Following the presentations, an open forum allowed participants to engage directly with the speakers, raising questions and discussing various aspects of the topics presented.

Questions/Concerns	Answers
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<p>Question # 1: For Director Natural, kalian po magiging available yung Technical Policy and possible po ba makakuha ng copy ng entire report? Our Stakeholders are very interested to see yung ratings kada company.</p>	<p>Director Nieva Natural: To answer the first question on when the policy note will be available, tina- target naming next month. Sa pangalawang question as to pwede bang makakuha ng copy, yung owner ng report is DENR and DOF as co-chairs ng MICC, but ang DENR ay yung parang gate keeper. So, sila yung may hawak ng individual reports. Meron kasing non-disclosure agreement with the companies, so the DENR would know how to respond kung may mga request. But yung summary ng report ay yun ang ilalabas aming for public consumption by December.</p>
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Question # 2: Question for all the speakers, Kasi this is a forum or a platform to discuss mining issues related to communities that host mining. Yung kay Director Nieva madali nating i-relate doon, kasi it is mining audit, but for Director Owen and also Director Anna, how is the new allotment share gonna impact yung shares ng ating LGU's na nagho-host ng mining. Paano po kaya ito makakatulong sa kanila? And siguro Director Nieva, you could also chime in on that yung results po ng mining audit. How is this helpful for our LGUs hosting mining operations.

Director Anna Bonagua: Well, dahil mas lalaki ang resources ng Local Government Units, they will have more funds to support the needs of the communities lalo na yung nasa mining sites and maybe, probably support the facility requirements of the mining industry. Ayun ang nakikita natin, because their shares from the national wealth would be additional share, in addition to NTA. So hindi pa ito yung as presented by Dir. Owen, karagdagang resources lang ito for them to improve their services and support facilities needed by the mining companies in respective areas.

Director Rowena Sta. Clara: I agree with Dir. Anna, magkakaroon sila ng additional resources for the community so mas makakatulong sa kanila.

Mr. Eastword Manlises: Dir. Natural, yung results po ng audit, paano po ito magiging useful kaya sa ating LGUs. Given na magkakaroon sila ng access doon sa report.

Director Nieva Natural: May mga points doon on how to improve the use of share nila doon sa mining. Mayroong mga suggestions doon ang experts on how to rehabilitate the area, also may caution din na not to be overly dependent on mining, kasi di naman iyon forever diba, kasi nauubos din ang resource na iyon, Maraming points na they can consider in improving yung pagho-host ng mining operations sa kanilang lugar.

<p>Question # 3: Did your team looked into the effectiveness and impact of Multi-partite Monitoring Team especially on the participation of community representatives and civil society organization.</p> <p>(ELAC/Atty. Gerthie Mayo Anda)</p>	<p>Director Nieva Natural: First of all, yung MMT assessment was not a direct objective of the study, so walang in-depth study on how effective ba yung MMTs. However, in the course of the assessment some of the technical review team were able to review yung impact evaluation ng envi, kasi diba may envi aspect tayo, so in the course of that assessment, yung team looking into the environmental aspect were able to talked to some members of the MMTs, hindi siya gaanong kalalim ang paguusap kasi hindi nga siya direct objective of the study, but we are suggesting siguro if MGB is listening, as a regulatory agency, perhaps they can initiate a study that will look into the effectiveness of the MMT. In one of the areas in Palawan, it was also suggested to include PCSD and NCIP as members of the MMT. So baka ma-consider ng MGB as a specific study only focusing on MMT effectiveness.</p>
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Question # 4: For DILG, Mayroon bang ongoing capacity building for LGUs enough to strengthen local public financial management? The Mandanas-Garcia ruling is more than just a transfer of funds to LGUs, this essentially entails effective budgeting practice that pursues allocative efficiency (spending on the right things) and operational efficiency (doing things right) by the LGUs. Moreover, LGUs should be able to invest resources to finance new developed programs/services or expand existing ones to compensate for those that the NGAs will no longer provide.

(HRep/CPBRD-Arsenia Gonzales)

Director Anna Bonagua: Doon sa first question, we actually have done the roll out of all local government units, kasama natin ang DBM, DOF at ang saka ang NEDA in the roll out, kasama din ang ibang national agencies na prepared na to share their devolution transition plan, so kaya mayroon ng compliance ang mga local government units. Regarding doon sa strengthening local public financial management, that is one of the solace parts of the presentation that which we skipped. We are updating yung ating existing guidelines on the harmonization of local planning investment, programming, resource mobilization, budgeting expenditure management, and performance monitoring at the local level. This is JMC 2016-1, and its being updated right now to incorporate some of the provisions in line with the new face of revolution lalo na yung digitalization of many of the tools. Very familiar tayong lahat sa eSRE but hindi siguro alam ng lahat na mayroon ng ebudget, meron na ding eLDIP or electronic Local Development Investment Program that is being implemented at the local level, so that we can validate if what are funded and implemented, these are really part of the plans coming from the Local Governments and a lot more like harmonization of the AIP Budget Linkage, Inclusion of Barangay Planning in the previous guidelines, then updating of the synchronized planning and budgeting calendar, kasi hindi po nagma-match ang planning calendar ng local government at National Government, kaya hindi nagma-match yung pag support ng National Government to the projects of Local Government Units. And kasama rin yung strengthening the linkage of the plans from the EDP (Regional Development Plan) to the Provincial plans and Comprehensive Development Plans of the cities and municipalities. So ayon po ang current efforts po natin and that has been implemented, hindi lang for 2016, kasi itong 2016 ay

	<p>updated guidelines na ito, I think earlier at hanggang ngayon ay ating ipinu-push at ini-improve.</p>
<p>Question # 5 (Follow-up question to Q # 4)</p> <p>Can we tap the regional offices of DILG to give the same presentation locally (CSOs in the LGU)?</p> <p>(Chadwick Llanos)</p>	<p>Director Anna Bonagua: Yes po, actually part kami palagi ng PH-OGP kung saan ang mga CSOs ang mga participants, so the Mandanas ruling has been featured for the last three. Sunod-sunod na session, may progression yung discussion but then kung kailangan talaga ninyo ng specific discussion, you can always invite DILG, ang aming mga regional offices are always ready to provide information assistance to LGUs and CSOs partners.</p>

Question # 6:

For Director Natural, Based on MICC findings, nakita natin yung mga issues on compliance with permit requirements, ano po ba ang recommendations, kasi nakita natin may mga special tree cutting permits na wala pa or permits from Local Government pero nag-operate na si mining company.

For Director Bonagua, ma'am bakit po sa devolution committee wala po ang DENR. The implication could be different for us, is it because the issue on environmental protection or conservation job is retained or there could some reasons why DENR is not a member of the committee.

(Mr. Chito Trillanes)

Director Nieva Natural: Thank you, Mr. Trillanes for your question. Earlier po in our presentation, after po ng dalawang review, the DENR specifically the Mines Geosciences and Bureau at saka yung Environmental Management Bureau came up with Policy issuances. The compliance monitoring and Rating/Scorecard po was issued in 2018 by the MGB improving on the current monitoring po nila. Nakita naman po nila yung gap, and immediately nung nalaman po nila ang mga findings they issued to these guidelines. There is an administrative order establishing a centralized management and coordinative Mechanism at the Regional Offices of the DENR, MGB and EMB, and designating the DENR Regional Director as the Regional Executive Director providing overall command of regional operations, so they strengthen the team ng DENR sa Regional offices kasi sila ang mas malapit sa ground and perhaps, in support also of closer monitoring what is happening sa mga mining sites. Down the line po, marami silang ginawang mga issuances, siguro yung mga partner natin na Civil Society Organizations pwede nilang i-test ito kung effective ba ang mga issuances. Government and partners CSOs natin can work together to make these issuances effective talaga sa ground.

Director Anna Bonagua: Yes, sir Chito. Kung pansin mo hindi nga sila kasama, walang kasamang sectoral agencies sa devolution committee, but they are expected to be the resource persons, kasi kung isama natin napakami nilang sectoral agencies, ang nandito ay ang mga oversight agencies sa devolution, but in the roll out of the devolution transition planning that we did, ang nagpe-present po ng kanilang devolution transition plan ay yung mga devolve agencies like DENR, DOH, DSWD, DPWH kasi sila yung maraming programa na ibinabababa sa local government units

	for assumption or absorption, hindi lang po kasama sa comdev as a permanent member but there are resource persons invited when necessary.
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Ms. Jane Baldago, Managing Specialist for Stakeholder Engagement at PH-EITI, synthesized the key points from the discussions, offering a forward-looking perspective. Her insights helped to contextualize the day's learnings and set a direction for future actions and considerations.

The session concluded with reminders for the virtual exhibit and an overview of the following day's sessions, ensuring participants were informed and prepared for the continued discourse.

Finally, a virtual exhibit interaction led by Mr. East Manlises provided an engaging platform for attendees to explore and interact with the presented materials, enhancing their understanding of the topics discussed and the broader context of the extractive industry's role in the Philippines.

Day 4

The PH-EITI Recognition Ceremony

The PH-EITI Recognition Ceremony, held on November 26, 2021, was a notable event organized by the PH-EITI Multi-Stakeholder Group to acknowledge the diligent efforts of various PH-EITI reporting entities in the implementation of EITI in the Philippines. Coinciding with the eighth anniversary of the Philippine EITI's establishment through Executive Order No. 147, s. 2013, this ceremony marked the culmination of the Extractives Transparency Week 2021. The week featured a series of talks and learning sessions focused on resource governance and data and revenue management. The ceremony also included the launch of new PH-EITI initiatives, such as explainer videos and the Opening Extractives engagement plan.

Open to the public, the event welcomed key participants from EITI implementing agencies, local government units, civil society, and the oil, gas, and mining industries. The ceremony took place on November 26, 2021, from 7:30 – 9:30 CET / 13:30 – 15:30 PHT, and was accessible via StreamYard, Zoom, Facebook, and YouTube.

The program featured a range of speakers and presentations, including opening remarks by Hon. Bayani H. Agabin, Undersecretary of the Department of Finance and Chair of Philippine EITI, and the presentation of various awards to entities in categories such as National Government Agencies, Local Government Units (Tier 1 and Tier 2), and Oil & Gas Companies. Highlights included the launch of PH-EITI's explainer videos and the Opening Extractives engagement plan. The event also showcased a SEC informational video on beneficial ownership disclosure, and talks from Mark Robinson, Executive Director of EITI, and Thom Townsend, Executive Director of Open Ownership.

The ceremony recognized exemplary performers in several categories:

- Non-Metallic Mines: First Place went to JLR Construction and Aggregates, Inc., followed by Dolomite Mining Corporation and Republic Cement Mindanao, Inc.
- Metallic Mines: OceanaGold (Philippines), Inc. won First Place, with Sinosteel Philippines H.Y. Mining Corp. and Philex Mining Corporation securing the second and third places respectively.
- Oil and Gas: Shell Philippines Exploration B.V. was recognized.
- National Government Agencies (NGAs): The Local Government and Regional Coordination Bureau (DBM) achieved First Place, with the Bureau of Customs and the Mines and Geosciences Bureau following.

- Local Government Units (LGU) Tier 1 and Tier 2: In Tier 1, Cagdianao (Dinagat Islands) claimed First Place, while in Tier 2, Santiago (Agusan del Norte) was awarded the top spot.

The event concluded with closing remarks by Valery Joy A. Brion, OIC Assistant Secretary of the Department of Finance and Alternate Focal Person and Chair of Philippine EITI.